

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 ELMER TULIO AGUILAR-RIVAS,

13 Defendant.  
14

CASE NO. CR18-0023-JCC

ORDER

15 This matter comes before the Court on Defendant's unopposed motion to extend the  
16 indictment deadlines in this matter (Dkt. No. 20). Having thoroughly considered the motion,  
17 Defendant's waiver of speedy indictment (Dkt. No. 21), and the relevant record, the Court  
18 GRANTS the motion for the reasons explained herein.

19 The Court concludes that it would be unreasonable to require the filing of an indictment  
20 within the period required by statute because of Defendant's need to further evaluate the case in  
21 conjunction with his immigration attorney prior to an indictment. Without an extension, the  
22 Government and defense counsel would be denied the reasonable time necessary to effectively  
23 prepare for trial and pursue negotiations, taking into account the exercise of due diligence. *See*  
24 18 U.S.C. § 3161(h)(7)(B)(iv). Therefore, the Court finds that the ends of justice served by  
25 granting a continuance outweigh the best interests of the public and the defendant in a speedy  
26 indictment. *See id.* at § 3161(h)(7)(A).

1 The Court therefore ORDERS that the date on or before an indictment must be filed is  
2 hereby EXTENDED from April 2, 2018 to May 2, 2018.

3 The Court further ORDERS that period of delay from April 2, 2018 to May 2, 2018 is  
4 excludable time pursuant to 18 U.S.C. § 3161(h)(7)(A) for the purpose of computing the time  
5 limitations imposed by the Speedy Trial Act.

6 DATED this 27th day of March 2018.

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11 John C. Coughenour  
12 UNITED STATES DISTRICT JUDGE  
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